

CITY COUNCIL REPORT



MEETING DATE: July 6, 2005

ITEM NO. 10

GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT

Bonnstetter Residence - 4-HE-2005

REQUEST

Request to approve an Environmentally Sensitive Lands Ordinance (ESLO) Hardship Exemption for building height on new addition located at 38080 N Charles B MacDonald Rd with Single Family Residential, Environmentally Sensitive Lands District (R1-190 ESL) zoning.

OWNER

Bill and Karen Bonnstetter

APPLICANT CONTACT

Gary Ruck
Ruck/ Pate Architecture
480-595-9262

LOCATION

38080 N Charles B Macdonald Rd

BACKGROUND

Zoning/Context.

The 5-acre site is zoned Single Family Residential, Environmentally Sensitive Lands District (R1-190 ESL), and is located within the Ranch Highlands subdivision north of Cave Creek Road and west of the Desert Mountain master planned community. The property slopes north to south, is bisected by a wash, and there is an existing home on the north side of the property.

The surrounding zoning includes R1-190 ESL to the north, east, and west, and Single Family Residential (R1-7 ESL) to the south. There is an existing home that is over 600 feet away to the northeast that is located behind a 20-foot tall ridge from this property.

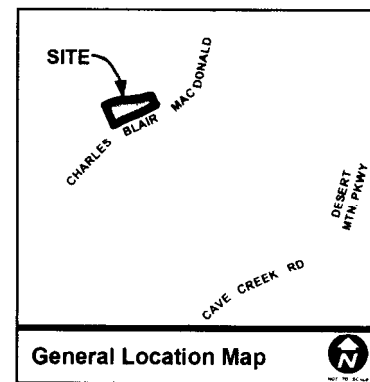
ORDINANCE REQUIREMENTS

The Environmentally Sensitive Lands Ordinance (Section 6.1070.B.1.b. Design Standards) limits building heights in the R1 District to twenty four (24) feet, measured from natural grade.

APPLICANT'S PROPOSAL

Applicant's Request.

The Applicant is proposing a waiver for Section 6.1070.B.1.b. to allow a building addition to the existing home exceed the 24-foot height limit. The proposed 2-story addition is located to the southeast of the existing building and is designed to match the existing home's floors and grades. Due to the drop in grade as the site slopes to the southeast, the hardship exemption is pursued to allow the southeast portion of the addition to



protrude above the 24-foot height limitation. This hardship exemption, if approved, will allow the addition to align with the floors and grades of the existing building. The exemption will allow the addition to exceed the 24-foot height limitation by 0 to 4.5 feet over an area of approximately 500 square feet. The exemption will not allow the addition to exceed the height of the existing building. The applicant has provided a narrative discussing the request/justification for the waiver (See Attachment #1).

The site has been posted and surrounding properties have been notified. Carefree Ranch Homeowners' Association has approved the building addition, and there has been no opposition regarding this application.

FINDINGS**1. Demonstrated Substantial Hardship that would reduce the ability to use the parcel(s):**

The applicant indicates the height limitation will prohibit a building addition that matches the floors and grades of the existing home. There are site constraints, including terrain and a septic tank, that limit design alternatives.

2. The requested exemption is consistent with the intent and purpose of the ESL Ordinance:

The applicant maintains the request meets the intent and purpose of the ESL Ordinance through limiting disturbance on the site and preserving the site's most sensitive terrain (including an existing wash). Limiting the disturbance on site maintains significant areas of meaningful natural open space, which amounts to approximately 4 acres. Due to the slope and size of this property relative to other properties in the area, the existing views will not be obscured.

3. The application of the new ESLO standards does not achieve significant benefit for protection of the environment and community:

By matching the floors and grades of the existing home, while limiting land disturbance and maintaining views, this request is considered to be consistent and appropriate.

4. The requested exemption is in conformance with a previously adopted version of the ESL Ordinance:

The proposed building addition is consistent with the previously adopted version of the ESL Ordinance that allowed 30-foot tall buildings in the R1 District.

**STAFF
RECOMMENDATION**

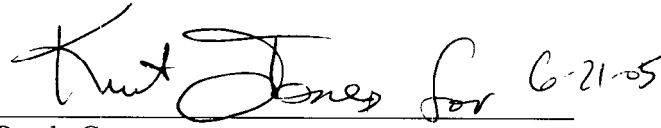
Recommended Approach:
Staff recommends approval.

Proposed Next Steps:
Approval of this request will enable the plan review to proceed and building permits issued.

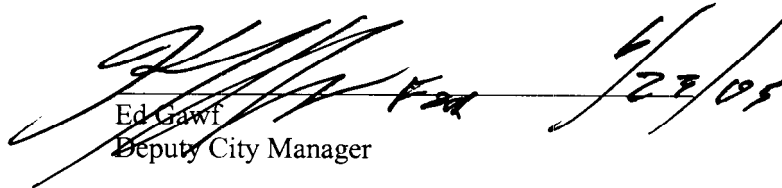
RESPONSIBLE DEPT(S)

Planning and Development Services Department
Current Planning Services

STAFF CONTACT

 for 6-21-05

Randy Grant
Chief Planning Officer

 6/23/05

Ed Gawf
Deputy City Manager

ATTACHMENTS

1. Project Narrative
2. Context Aerial
3. Aerial Close-up
4. Zoning Map
5. City Notification Map
6. Carefree Ranch Homeowners' Association Letter
7. Site Plan, Exhibits, and Photographs

ESLO HARDSHIP EXEMPTION APPLICATION

Description of Request:

Project Narrative:

The project for Mr. & Mrs. Bill Bonnstetter is a two-story addition to their existing two-story residence. The house is on five acres in Carefree Ranch Highlands of north Scottsdale. The addition consists of the following spaces:

Ground Level: Three-car garage adjacent to the existing garage to store Mr. Bonnstetter's auto collection. This is approximately 855 SF.

First Level: Master Suite, including Study, Bathroom and Bedroom. This is approximately 1239 SF

Design parameters require that the floor elevation match the existing floor elevation so that no steps are required from the existing Living Space to the new Master Bed Room. Also, a grade level carport is required, that is obscured from the street as much as possible. Note, that there is an elevator in the existing house. Another consideration, if possible the footprint of the addition should not interfere with the existing septic system.

In 1996, at the time of concept design, the house was situated on the west side of property to allow for an anticipated addition to the house on the east side. The septic tank and septic field were located to allow for this addition. Utility hook-ups are located for ease of access to the proposed addition.

REQUEST: ESLO Hardship exemption to allow a maximum building height to not exceed 30'-0". This is in accordance with the original Feb.19, 1991 Ordinance.

1. Demonstrated Substantial Hardship that would reduce the ability to use the parcel:

- A. The proposed addition must be on the same level as the existing house or would not be used by the occupants. Alternatives become not useable and cost prohibitive. Reducing the 9'-0" ceiling height would not meet requirement. Relocating the addition farther north would eliminate the private car court and stretch out the addition to expose all garage doors to the street. The septic tank and septic field would have to be relocated at great additional cost:
- B. The substantial hardship are so great in this case, that if the old height limitation is not approved, the addition will not be completed and the home will not be acceptable to Mr. & Mrs. Bonnstetter's retirement occupancy.

2. The requested exemption is consistent with the intent and purpose of the ESL Ordinance:

- A. The design of the existing home and the addition are compatible with the natural beauty of the area. This project is not a steep hillside lot that is highly visible to the City. In fact, the proposed top of roof is EL. 2676 or 12' above the grade of Robert Hunter Drive. (The existing roof high point is EL. 2779.)
- B. Charles B. MacDonald Drive is over 200' away. The nearest residence to the east is over 600' away. To the west, the addition is over 200' from the property line.
- C. This addition will blend in naturally to the desert environment.

3. The application of the new ESLO standards does not achieve significant benefit for protection of the environment and the community:

- A. Application of a 24' height limitation on this addition does not achieve significant benefit for the environment or the community. The existing house was designed and complies under the previous guidelines. The existing house roof height is EL 2679 plus a screen wall back from the roof edge of 3' high. The design of the addition must blend into the existing in scale and elevation. The proposed roof height would fall under the 30' previous limit at EL 2676 plus screen wall of 3'. The screen wall on the existing and the proposed addition hides vents and fans, plus allows a raised ceiling feature in the Master Bedroom (& Great Room in the existing)
- B. This design solution for concealing the garage doors, creating a car court adds to the overall esthetics of the design.
- C. This design concept clearly appears to be planned from the beginning and blends and melds with the existing house as well as the landscape.

4. The requested exception is in conformance with a previously adopted version of the ESL Ordinance.

- A. The design is in conformance with the "Approved Environmentally Sensitive Lands Ordinance dated February 19, 1991. Reference Section 7.854 (A) (1) (b): "The maximum building height in the Hillside Landform shall be the height prescribed by the underlying district or 30', whichever is lower,"

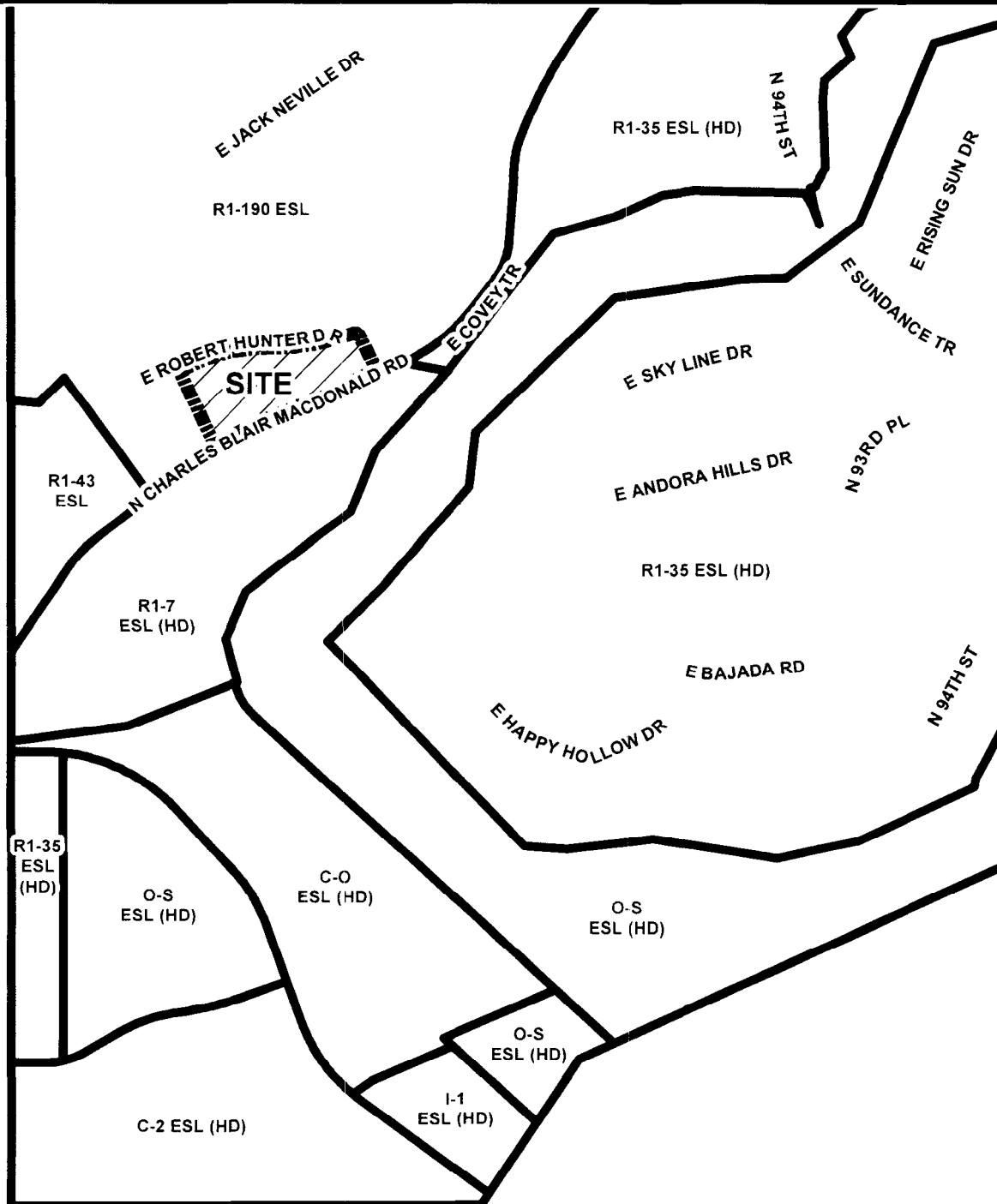


4-HE-2005

Bonnstetter Residence

ATTACHMENT #3

Request for ESL Hardship Exemption for building height on new addition

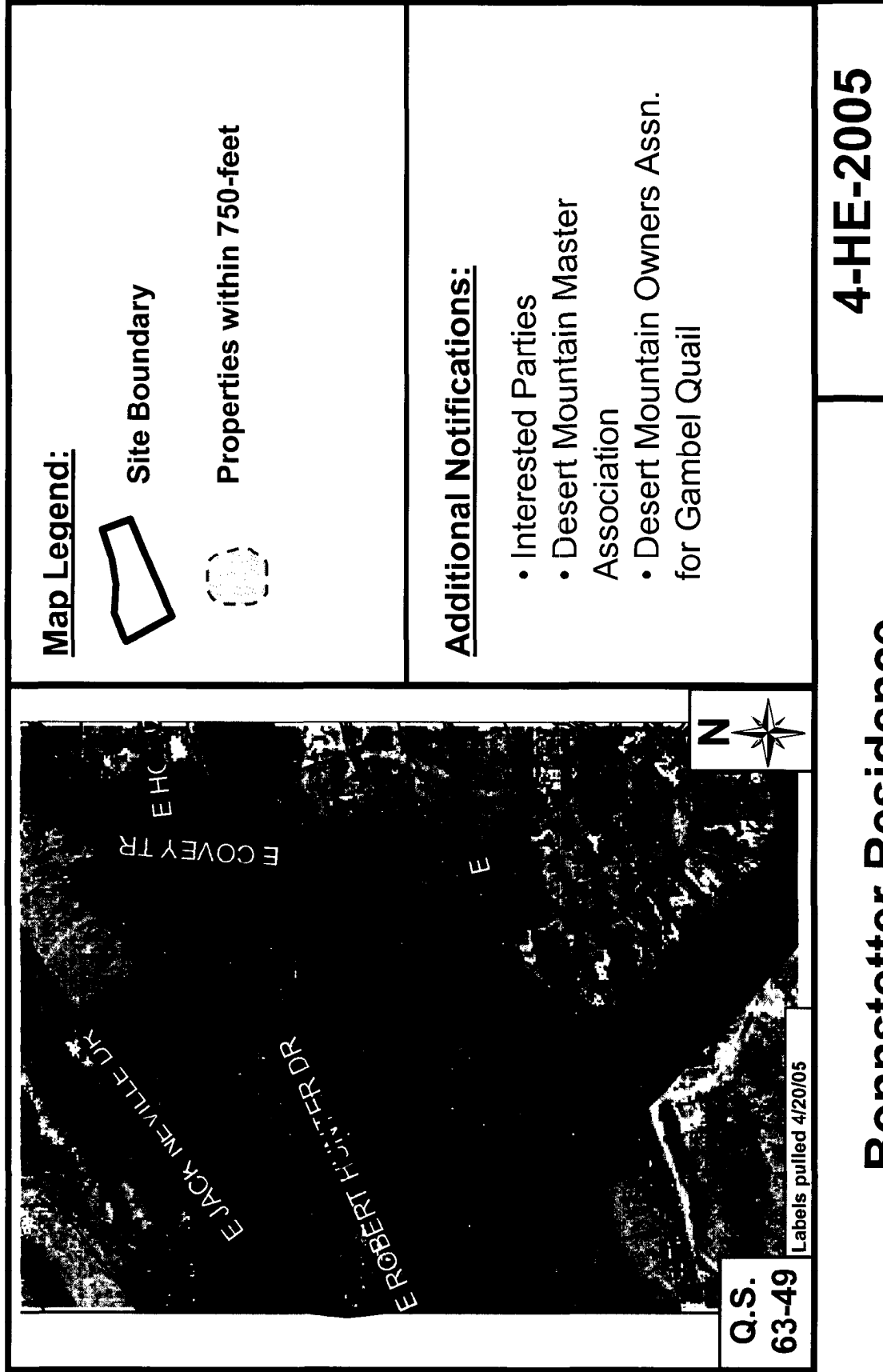


4-HE-2005

ATTACHMENT #4



City Notifications – Mailing List Selection Map



Bonnstetter Residence

ATTACHMENT #5

Carefree Ranch Owners Association

C/o Premier Community Management, Inc.
6801 N. Glen Harbor Blvd. Ste. 206-B
Glendale, AZ 85307

March 15, 2005

Bill Bonnstetter
Lot 3 Ranch Highlands

Re: Lot 3 Ranch Highlands

Dear Bill,

You have the approval of CROA (Carefree Ranch Owners Association) to begin construction on your addition on Lot 3.

Al Christensen, our design review consultant, has given his approval and the association board has unanimously approved your project.

Give me a call if you have any questions (480-595-0671)

I will drop off a copy of the construction guidelines.

Good Luck,



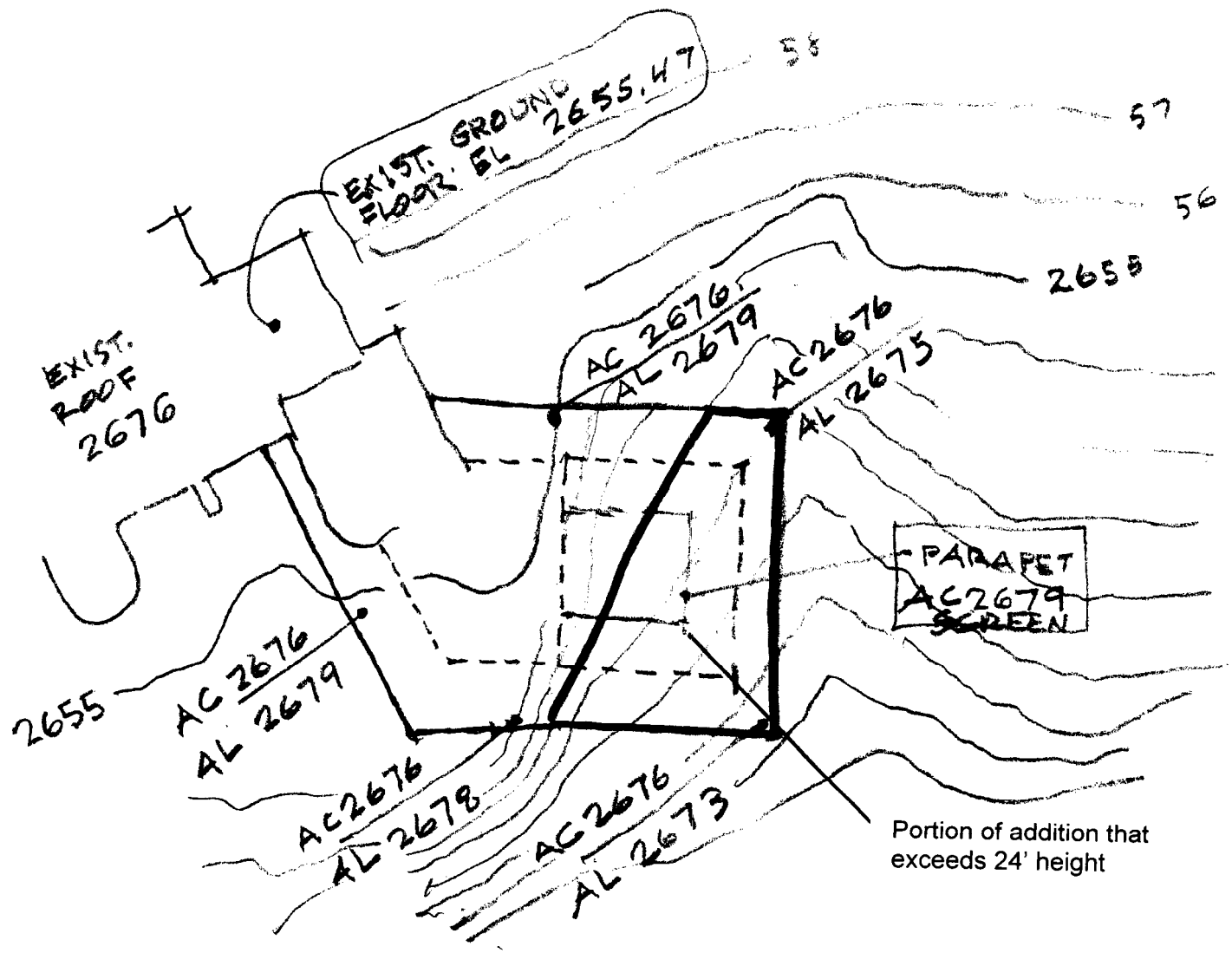
Bill Byrne
CROA Design Review

Cc: Ed Harrison, President CROA

Phone: 623-877-6700

Fax: 623-877-6701

ATTACHMENT #6



AC = ACTUAL PROPOSED
AL = ALLOWABLE EXIST.

